

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

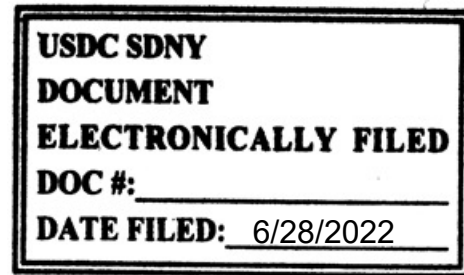
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JOSE ENRIQUE GUZMAN,
Individually and on behalf of all others
similarly situated

Plaintiffs,

- against -

RCI PLBG, INC., et al.,

Defendants.
-----X



20-CV-9513 (RWL)

ORDER AND JUDGMENT

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Under the Settlement Agreement and Waiver and Release (Dkt. 38-1) that was approved by the Court on March 28, 2022 (Dkt. 39), Defendants RCI PLBG, Inc., Christopher Chierchio, and Robert Dimiceli were required to make payments to Plaintiffs in this matter, on or by May 1, 2022. Defendants have failed to make the required payments. Pursuant to the terms of the Settlement Agreement, Plaintiff provided Defendants with a notice of default on May 12, 2022. The Settlement Agreement provides that Defendants had five days to cure the default, but Defendants failed to do so.

The Court was notified of Defendants' default on June 2, 2022 (see Dkt. 41). The Court then issued an order on June 7, 2022 at Dkt. 42 scheduling a telephone conference to discuss Defendants' alleged default for June 28, 2022 and informing Defendants that failure to appear for the conference will result in entry of confession of judgment for the outstanding amount due per Plaintiff's letter at Dkt. 41. The Court held the telephone conference on June 28, 2022, and Defendants did not appear.

Accordingly, the Court orders, pursuant to the Affidavit of Judgment by Confession executed by Defendants on March 24, 2022, that judgment is hereby entered against Defendants RCI PLBG, Inc., Christopher Chierchio, and Robert Dimiceli, jointly and severally, in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00). This represents the amount agreed to by Defendants, inclusive of reasonable attorneys' fees and costs incurred in entering and enforcing the judgment, and statutory interest and costs.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 28, 2022
New York, New York

Copies transmitted to all counsel of record